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INTERNATIONAL PRELIMINARY EXAMINATION REPORT
(PCT Article 36 and Rule 70)



07 FEB 2005

Applicant's or agent's file reference P26292PC00/CHO	FOR FURTHER ACTION See Notification of Transmittal of International Preliminary Examination Report (Form PCT/IPEA/416)	
International application No. PCT/NL 03/00559	International filing date (day/month/year) 04.08.2003	Priority date (day/month/year) 06.08.2002
International Patent Classification (IPC) or both national classification and IPC F16L55/035		
Applicant J. VAN WALRAVEN B.V. et al.		

1. This international preliminary examination report has been prepared by this International Preliminary Examining Authority and is transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of 6 sheets, including this cover sheet.
- ☒ This report is also accompanied by ANNEXES, i.e. sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications made before this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions under the PCT).
- These annexes consist of a total of 1 sheets.

3. This report contains indications relating to the following items:

- I ☒ Basis of the opinion
- II ☐ Priority
- III ☒ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- IV ☐ Lack of unity of invention
- V ☒ Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- VI ☐ Certain documents cited
- VII ☐ Certain defects in the international application
- VIII ☐ Certain observations on the international application

Date of submission of the demand 26.01.2004	Date of completion of this report 25.10.2004
Name and mailing address of the international preliminary examining authority:  European Patent Office D-80298 Munich Tel. +49 89 2399 - 0 Tx: 523656 epmu d Fax: +49 89 2399 - 4465	Authorized Officer Gonzalez Davila, J-C Telephone No. +49 89 2399-2767 

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT**

International application No. **PCT/NL 03/00559**

I. Basis of the report

1. With regard to the **elements** of the international application (*Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report since they do not contain amendments (Rules 70.16 and 70.17)*):

Description, Pages

1-14 as originally filed

Claims, Numbers

5-20 as originally filed

1-3, 4 received on 01.10.2004 with letter of 01.10.2004

Drawings, Sheets

1/6-6/6 as originally filed

2. With regard to the **language**, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language: , which is:

- ☐ the language of a translation furnished for the purposes of the international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of a translation furnished for the purposes of international preliminary examination (under Rule 55.2 and/or 55.3).

3. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application, the international preliminary examination was carried out on the basis of the sequence listing:

- ☐ contained in the international application in written form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. The amendments have resulted in the cancellation of:

- ☐ the description, pages:
- ☐ the claims, Nos.:
- ☐ the drawings, sheets:

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5. ☐ This report has been established as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed (Rule 70.2(c)).

(Any replacement sheet containing such amendments must be referred to under item 1 and annexed to this report.)

6. Additional observations, if necessary:

III. Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. The questions whether the claimed invention appears to be novel, to involve an inventive step (to be non-obvious), or to be industrially applicable have not been examined in respect of:

☐ the entire international application,

☒ claims Nos. 19,20

because:

☐ the said international application, or the said claims Nos. relate to the following subject matter which does not require an international preliminary examination (specify):

☒ the description, claims or drawings (*indicate particular elements below*) or said claims Nos. 19,20 are so unclear that no meaningful opinion could be formed (*specify*):

see separate sheet

☐ the claims, or said claims Nos. are so inadequately supported by the description that no meaningful opinion could be formed.

☐ no international search report has been established for the said claims Nos.

2. A meaningful international preliminary examination cannot be carried out due to the failure of the nucleotide and/or amino acid sequence listing to comply with the standard provided for in Annex C of the Administrative Instructions:

☐ the written form has not been furnished or does not comply with the Standard.

☐ the computer readable form has not been furnished or does not comply with the Standard.

V. Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-18*
	No: Claims	
Inventive step (IS)	Yes: Claims	1-18*
	No: Claims	
Industrial applicability (IA)	Yes: Claims	1-18*
	No: Claims	

2. Citations and explanations

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see separate sheet

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/NL 03/00559

Re Item I

Basis of the report

This report has been established based on claims 1 to 3 and claim 4 (*partly) as sent with letter of 01.10.2004 and original renumbered (**) claims 5 to 20.

Re Item III

Non-establishment of opinion with regard to novelty, inventive step and industrial applicability

1. Claims 19 and 20 are not clear as they are not defined. Claim 19 refers to a vibration isolating member and should have been reformulated to contain the technical essential features of the vibration isolating member. Claim 20 should have been reformulated to include the technical essential features of the porous material.

Re Item V

Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. None of the prior art documents contained in the search report reveals a vibration isolating pipe clip as set forth in claim 1, comprising a vibration isolating member made from porous vulcanized rubber with closed cavities and separating walls between them.
2. The above features are neither known from, nor rendered obvious in respect of prior art so that claim 1 therefore meets the requirements of Articles 33(2) and 33(3) PCT.
3. Claims 2 to 18 contain advantageous modifications of the inventive idea embodied in claim 1 and also meet the requirements of Articles 33(2) and 33(3) PCT.

Additional Observations

1. The features of the claims are not provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
2. Contrary to the requirements of Rule 5.1(a)(ii) PCT, the relevant background art

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disclosed in document EP-A-1 106 900 has not been mentioned in the description, nor has been this document identified therein.

1. Vibration isolating pipe clip for securing a pipe to a support, in particular for securing a medium-carrying pipe to a wall or ceiling of a building, comprising:

- a rigid pipe clip body which is composed of one or more parts and is provided with securing means for securing the pipe clip body to a support,

- a vibration isolating member which bears against the inner circumference of the pipe clip body and is ultimately positioned between the outer circumference of the pipe and the pipe clip body,

characterized in that the vibration isolating member is made from ~~a porous elastomer with closed cavities and separating walls between them.~~

2. Pipe clip according to claim 1, in which the vibration ~~isolating member is made from~~ porous vulcanized rubber with closed cavities and separating walls between them.

~~2.~~ 3. Pipe clip according to claim 1 ~~or 2~~, in which the walls have a thickness and the cavities a diameter which are such that elastic deformation of the vibration isolating member takes place under elastic deformation of these walls, with the volume of the cavities being reduced.

34. Pipe clip according to one or more of claims 1^{or 2}, in which the walls have a thickness which is such that in the event of elastic deformation of the vibration isolating member the intervening walls have a deformation behaviour which substantially corresponds to the deformation behaviour of solid rubber.

4. Pipe clip according to one or more of the preceding claims, in which the cavities are substantially unpressurized, in such a manner that in the event of a reduction in the volume of the

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AMENDED SHEET